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3 BILL NO. S-78-06-05

4 SPECIAL ORDINANCE NO. S-

95-78

5 AN ORDINANCE approving a contract be-
6 tween Commercial Warehouse and Cartage,
7 Inc. and the City of Fort Wayne by and
8 through its Department of Public Safety,
9 for Fire protection.

10 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
11 OF FORT WAYNE, INDIANA:

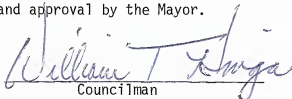
12 SECTION 1. That the contract, dated June 1, 1978, between the
13 City of Fort Wayne, by and through its Mayor and Board of Public Safety,
14 and Commercial Warehouse and Cartage, Inc. for fire protection from the
15 Fort Wayne Fire Department on specified grounds outside the city limits,
16 described as follows, to wit:

2425 American Way, Allen County, Indiana

17 SECTION 2. That the cost to Commercial Warehouse and Cartage, Inc.
18 shall be the sum of \$2,326.94, which amount shall be deposited into Fund
19 No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated
20 Sec. 48-6176.

21 SECTION 3. That said contract is on file in the Office of the
22 Board of Public Safety and is by reference incorporated herein, and made
23 a part hereof, is hereby in all things ratified, confirmed and approved.

24 SECTION 4. That this Ordinance shall be in full force and effect
25 from and after its passage and approval by the Mayor.

26
27 
28 Councilman

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31
32
33 APPROVED AS TO FORM
34 AND LEGALITY,
35 
CITY ATTORNEY

Read the first time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 6-13-78

Charles W. Wisterman
CITY CLERK

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>X</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>X</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 6-27-78

Charles W. Wisterman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. 2-95-78 on the 27th day of June, 1978

ATTEST: (SEAL)

Charles W. Wisterman
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1978 at the hour of 11:00 o'clock A M., E.S.T.

Charles W. Wisterman
CITY CLERK

Approved and signed by me this 29 day of June, 1978 at the hour of 8:30 o'clock _____ M., E.S.T.

Robert Ellmington
MAYOR

Bill No. S-78-06-05

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance
approving a contract between Commercial Warehouse and Cartage, Inc.
and the City of Fort Wayne by and through its Department of Public Safety,
for Fire protection

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance DO PASS.

WILLIAM T. HINGA - CHAIRMAN

VIVIAN G. SCHMIDT - VICE CHAIRMAN

JOHN NUCKOLS

PAUL M. BURNS

FREDRICK R. HUNTER

William T. Hinga

Vivian G. Schmidt

John Nuckols

Paul M. Burns

Fredrick R. Hunter

6-27-78 CONCURRED IN
DATE CHARLES W. WESTERMAN, CITY CLERK

FIRE PROTECTION CONTRACT

This contract is entered into in duplicate this 1st day of June, 1978 between the City of Fort Wayne, Indiana, acting by and through its Mayor and Board of Commissioners, Department of Public Safety ("CITY"), and Commercial Warehouse and Cartage, Inc. ("Commercial Warehouse").

WHEREAS, Commercial Warehouse is the lessee of certain improvements upon real estate near but outside the corporate limits of the CITY, described as follows:

2425 American Way, Allen County, Indiana

and, WHEREAS, Commercial Warehouse desires to be assured that fire protection by CITY is available at its premises,

NOW, THEREFORE, in consideration of the premises and the agreements of the parties, it is agreed as follows:

1. Upon the receipt by CITY'S Fire Department of a notification or signal that there is a fire on said premises of Commercial Warehouse, CITY shall cause the proper firefighting station or stations to send such firefighting equipment, materials, and personnel to Commercial Warehouse premises as it reasonably send to other similar locations within the corporate limits of the CITY.

2. For the firefighting services provided for herein, Commercial Warehouse shall pay to CITY the sum of One and Two Thousand Six Hundred Forty-Three Thousandths Dollars (\$1.2643) per One Hundred Dollars (\$100.00) of assessed valuation for tax purposes on the improvements situated upon the real estate so defined herein, which assessment is hereby agreed to be established at One Hundred Eighty Four Thousand Fifty Dollars (\$184,050.00). Said sum of \$2,326.94 shall be payable upon execution of this contract.

3. CITY shall cause its fire department personnel to inspect said building, equipment and facilities periodically, at mutually convenient times, to familiarize such personnel with said building, equipment, and facilities and Commercial Warehouse's operations on its premises, so as to determine the types of fire which may reasonably be anticipated on said premises and so as to be able to render service commensurate with existing service conditions.

4. The obligations under this contract shall continue for a period of one year to June 1st, 1979.

5. Notwithstanding the foregoing provisions, this contract shall not become effective until it shall have been signed by the Mayor and the members of the Board of Commissioners, Department of Public Safety of CITY, and ratified and approved by the Common Council of CITY.

In WITNESS WHEREOF, this agreement has been duly authorized and executed as of the date first above written by the duly authorized officers and representatives of the parties.

COMMERCIAL WAREHOUSE AND CARTAGE, INC.

By: Carl P. Plaudes

CITY OF FORT WAYNE, INDIANA

By: Robert E. Armstrong

Robert E. Armstrong, Mayor

BOARD OF COMMISSIONERS,
DEPARTMENT OF PUBLIC SAFETY

Terry Coonan
Chairman

William L. Kerr, Sr.
William L. Kerr, Sr. Member, Acting
Chairman

Solon Jennings
Solon Jennings, Member

I hereby certify that the foregoing contract was ratified and approved by Common Council of the City of Fort Wayne, Indiana on

June 27, 1978.

Charles W. Westerman
Charles W. Westerman, Clerk

DIGEST SHEET

J-78-06-05

TITLE OF ORDINANCE Outside the City Fire ContractDEPARTMENT REQUESTING ORDINANCE Board of Public Safety

SYNOPSIS OF ORDINANCE This would allow the City of Fort Wayne to provide fire
protection for Commercial Warehouse and Cartage, Inc. They, in turn,
will pay the City \$2,326.94, which is sued to purchase fire equipment.

EFFECT OF PASSAGE The Fort Wayne Fire Department will receive \$2,326.94.

EFFECT OF NON-PASSAGE The Fire Department will lose \$2,326.94.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.) _____

DATE SUBMITTED: _____

Nann